

SENATE BILL 487

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C8

2003 Regular Session
(3r1237)

ENROLLED BILL
-- Finance/Economic Matters --

Introduced by **Senator Pipkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 ~~Telecommunication and Computer Network Access - Underserved Areas~~
3 Telecommunication and Computer Network Access - Task Force on
4 Broadband Communications Deployment in Underserved Rural Areas

5 FOR the purpose of ~~altering certain provisions relating to a certain State~~
6 ~~telecommunication and computer network under the Department of Budget and~~
7 ~~Management; providing for access to a certain telecommunication and computer~~
8 ~~network by certain persons; providing for the construction of certain network~~
9 ~~facilities in areas where existing commercial access is lacking; providing for~~
10 ~~certain points of presence in certain areas in a certain manner; requiring the~~
11 ~~Department to consult and coordinate with certain agencies and entities for~~
12 ~~certain purposes; declaring the intent of the General Assembly; requiring the~~
13 ~~Department of Business and Economic Development and the Department of~~
14 ~~Budget and Management to undertake certain actions by certain dates and to~~
15 ~~report to the General Assembly on certain actions by a certain date; and~~
16 ~~generally relating to telecommunication and computer networking and~~
17 ~~underserved areas~~ establishing a Task Force on Broadband Communications

1 Deployment in Underserved Rural Areas; providing for the membership and
2 duties of the Task Force; providing for staffing of the Task Force; prohibiting a
3 member of the Task Force from receiving certain compensation; authorizing a
4 member of the Task Force to receive reimbursement for certain expenses;
5 providing for a panel of advisors; requiring the Task Force to report to the
6 Governor and the General Assembly on or before certain dates; *encouraging the*
7 *Department of Business and Economic Development and the Department of*
8 *Budget and Management to undertake certain actions; providing for the*
9 *termination of this Act; and generally relating to the establishment of a*
10 *telecommunications and computer networking and the Task Force on Broadband*
11 *Communications Deployment in Underserved Rural Areas.*

12 ~~BY repealing and reenacting, with amendments,~~
13 ~~Article—State Finance and Procurement~~
14 ~~Section 3-702 and 3-705~~
15 ~~Annotated Code of Maryland~~
16 ~~(2001 Replacement Volume and 2002 Supplement)~~

17 Preamble

18 ~~WHEREAS, many rural communities located in Southern Maryland, Western~~
19 ~~Maryland, and on the Eastern Shore of Maryland do not have ready access to~~
20 ~~available or affordable broadband communications Internet services; and~~

21 ~~WHEREAS, the lack of broadband communications deployment has severely~~
22 ~~impeded economic development efforts in rural areas that are struggling to diversify~~
23 ~~their existing manufacturing, agricultural, and resource industry based economies;~~
24 ~~and~~

25 ~~WHEREAS, public officials and private sector leaders from rural communities~~
26 ~~have repeatedly questioned why the State's broadband communications program has~~
27 ~~not resolved their long-standing broadband access concerns; and~~

28 ~~WHEREAS, the "eReadiness Maryland" study conducted by the Maryland~~
29 ~~Technology Development Corporation in 2002 confirmed the impression that Central~~
30 ~~Maryland had sufficient broadband infrastructure to meet the needs of business~~
31 ~~users, but also found that the rural regions had fallen behind considerably; and~~

32 ~~WHEREAS, the Department of Budget and Management is responsible for~~
33 ~~providing communications services for State government and has been mandated to~~
34 ~~establish a telecommunications and computer network for State and local~~
35 ~~governments and public and private educational institutions in the State called~~
36 ~~networkMaryland; and~~

37 ~~WHEREAS, networkMaryland was officially made operational on October 30,~~
38 ~~2002, to service the needs of State agencies and other public sector entities, with~~
39 ~~expansion of the system expected to be completed by late 2004 that will include~~
40 ~~inter LATA communications access across the State; and~~

1 WHEREAS, in March 2002 the Department of Budget and Management
 2 established a very effective networkMaryland Advisory Group consisting of
 3 representatives from State agencies, local governments, hospitals, and educational
 4 institutions to provide important oversight and direction of the networkMaryland
 5 project; and

6 WHEREAS, the State of Maryland currently owns 313.5 miles of fiber optic
 7 cable in Central and Western Maryland that includes 48 strands of dark fiber with
 8 the following reserved deployment: 16 strands for the Maryland Department of
 9 Transportation, 20 strands for networkMaryland, and 12 strands for cooperative use
 10 by private sector firms; and

11 WHEREAS, there are serious State and federal regulatory concerns with
 12 opening up networkMaryland to general use by the private sector; and

13 WHEREAS, the Forvm for Rural Maryland and the rural regional development
 14 organizations have repeatedly articulated the need for broadband Internet access to
 15 create economically competitive communities, and are currently in the process of
 16 performing studies to evaluate demand aggregation, establishing
 17 business community partnerships for developing innovative communications service
 18 provision, and making applications to the federal government for program and
 19 infrastructure funding; and

20 WHEREAS, the Tri County Council for Western Maryland has initiated a
 21 follow up "eReadiness Maryland" project to quantify current and future broadband
 22 demand and identify specific investment requirements to make the region's
 23 information infrastructure more accessible and robust; and

24 WHEREAS, the Tri County Council for Southern Maryland has organized a
 25 formal task group of local and regional public and private sector representatives to
 26 address the need for communications demand aggregation and the deployment of
 27 infrastructure and services; and

28 WHEREAS, the Mid-Shore Regional Council and Tri-County Council for the
 29 Lower Eastern Shore have authorized a formal study to quantify current and future
 30 demand and identify specific investment requirements that will make the region's
 31 information infrastructure more accessible and robust; and

32 WHEREAS, there is a need for a comprehensive State plan to support the local
 33 and regional implementation of programs for broadband communications services in
 34 rural areas; now, therefore,

35 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 36 MARYLAND, That the Laws of Maryland read as follows:

37 **Article – State Finance and Procurement**

38 3-702.

39 (a) The Department shall:

1 (1) coordinate the development, procurement, management and
2 operation of telecommunication equipment, systems, and services by State
3 government. ~~BOTH BY DIRECT ACQUISITION AND BY USE OF OTHER PUBLIC AND~~
4 ~~PRIVATE INFRASTRUCTURE;~~

5 (2) acquire and manage common user telecommunication equipment,
6 systems, ~~[or] AND~~ services and ~~[charge]~~ ~~PROVIDE A STANDARD INTERFACE FOR~~
7 ~~COMMON BACKBONE SERVICES AT A FLAT RATE TO~~ units of State government ~~[for~~
8 ~~their proportionate share of the costs of installation, maintenance, and operation of~~
9 ~~the common user telecommunication equipment, systems, or services]~~ ~~AND MAKE~~
10 ~~SUPPLEMENTAL INTENSIVE HIGH BANDWIDTH SERVICES AVAILABLE TO THOSE~~
11 ~~UNITS AT ADDITIONAL COST;~~

12 (3) promote compatibility of telecommunication systems by developing
13 policies, procedures, and standards for the acquisition and use of telecommunication
14 equipment, systems, and services by units of State government;

15 (4) coordinate State government telecommunication systems and
16 services by reviewing requests by units of State government for telecommunication
17 equipment, systems, or services;

18 (5) advise units of State government about planning, acquisition, and
19 operation of telecommunication equipment, systems, or services; and

20 (6) provide radio frequency coordination for State and local governments
21 in accordance with regulations of the Federal Communications Commission.

22 (b) The Department ~~[may]~~ ~~SHALL~~ make arrangement for ~~[a user]~~ ~~ALL USERS~~
23 ~~other than a unit of State government to have access to and use of State~~
24 ~~telecommunication equipment, systems, and [services and shall charge the user any~~
25 ~~appropriate amount to cover the cost of installation, maintenance, and operation of~~
26 ~~the telecommunication equipment, system, or service provided]~~ ~~SERVICES:~~

27 (1) ~~OFFERING TO LOCAL GOVERNMENTS AND THEIR UNITS A PLATFORM~~
28 ~~OF BACKBONE SERVICES ON A STANDARD SCHEDULE OF FLAT RATES, AND MAKING~~
29 ~~SUPPLEMENTAL INTENSIVE HIGH BANDWIDTH SERVICES AVAILABLE TO THOSE~~
30 ~~GOVERNMENTS AND UNITS AT ADDITIONAL COST; AND~~

31 (2) ~~OFFERING BROADBAND SERVICES, INCLUDING SUPPLEMENTAL~~
32 ~~INTENSIVE HIGH BANDWIDTH SERVICES, AVAILABLE TO OTHER USERS ACCORDING~~
33 ~~TO AN APPROPRIATE SCHEDULE OF CHARGES OR USING ANY OTHER APPROPRIATE~~
34 ~~METHOD TO RECOVER THE COSTS OF PROVIDING SERVICES TO THESE USERS.~~

35 ~~3-705.~~

36 (a) The General Assembly declares that:

37 (1) it is the policy of the State to foster ~~BROADBAND~~ telecommunication
38 and computer networking ~~[among State and local governments, their agencies, and~~
39 ~~educational institutions in]~~ ~~THROUGHOUT~~ the State;

1 (2) the current alignment of ~~[interagency and educational]~~
2 telecommunication and computer networking in the State, based in part on the
3 arrangement of Local Access and Transport Areas (LATAs), does not serve all areas of
4 the State equally, but instead creates a disparity between rural and urban regions;

5 (3) rates for the intrastate inter LATA telephone communications
6 needed for effective integration of telecommunication and computer resources are
7 prohibitive for many smaller governments, agencies, and ~~[institutions]~~ OTHER
8 PERSONS;

9 (4) there is a need to improve access, especially in rural areas, to
10 efficient telecommunication and computer network connections;

11 (5) IMPROVED ACCESS TO HIGH-SPEED TELECOMMUNICATION AND
12 COMPUTER NETWORKING CONNECTIONS IN DESIGNATED GROWTH AREAS,
13 PARTICULARLY IN UNSERVED AND UNDERSERVED PARTS OF THE STATE, WILL
14 FOSTER ECONOMIC DEVELOPMENT IN APPROPRIATE AREAS, FURTHERING THE GOAL
15 OF EQUITABLE DEVELOPMENT IN THE STATE BY:

16 (I) PROMOTING LOW IMPACT ECONOMIC DEVELOPMENT THAT
17 WILL REQUIRE LITTLE ADDITIONAL TRADITIONAL CAPITAL INFRASTRUCTURE AND
18 CONSUMPTION OF LAND; AND

19 (II) ASSISTING COMMUNITY LEGACY AND REVITALIZATION
20 EFFORTS IN CURRENT POPULATION CENTERS OF UNSERVED AND UNDERSERVED
21 AREAS THROUGH PROMOTING REINVESTMENT IN THESE COMMUNITIES,
22 FACILITATING THE REUSE OF EXISTING BUILDINGS AND STRUCTURES IN THESE
23 COMMUNITIES, AND DRAWING EMPLOYEES FROM THE COMMUNITIES AND THEIR
24 ENVIRONS;

25 (6) improvement of telecommunication and computer networking ~~[for~~
26 ~~State and local governments and educational institutions]~~ UNDER THIS SECTION
27 promotes economic development, educational resource use and development, and
28 efficiency in State and local administration; and

29 ~~[(6)]~~ (7) the use of improved State telecommunication and computer
30 networking under this section is intended not to compete with commercial access to
31 advanced network technology, but rather to COMPLEMENT IT WHERE IT EXISTS, TO
32 PROVIDE ACCESS WHERE COMMERCIAL ACCESS IS LACKING, AND TO foster
33 fundamental efficiencies in government and education for the public good.

34 (b) (1) The Department shall establish a telecommunication and computer
35 network in the State.

36 (2) The network shall consist of:

37 (i) one or more connection facilities for telecommunication and
38 computer connection in each LATA in the State, SITED TO PROVIDE SUITABLE
39 ACCESS FOR RURAL AS WELL AS URBAN AND SUBURBAN AREAS;

1 (ii) a backbone comprising one or more inter LATA fiber optic
2 links between each telecommunication facility, using a failure resistant architecture,
3 and adhering to [the DS3 standard or better] ~~CURRENT COMMERCIAL BROADBAND~~
4 ~~STANDARDS~~, to allow ~~SUFFICIENT~~ communication rates [of at least 45 megabits per
5 second,] and multiplexing for transmission of video, voice, and data;

6 (III) ~~ON REQUEST OF A COUNTY OR MUNICIPAL CORPORATION,~~
7 ~~POINTS OF PRESENCE IN GROWTH AREAS, AS DESIGNATED IN THE COUNTY OR~~
8 ~~MUNICIPAL MASTER PLAN, THAT ARE ADJACENT TO THE BACKBONE;~~ and

9 [(iii)] (IV) facilities, auxiliary equipment, and services required to
10 support the network in a reliable and secure manner.

11 (C) ~~IN PLANNING THE INSTALLATION AND EXPANSION OF THE NETWORK,~~
12 ~~THE DEPARTMENT SHALL CONSULT AND COORDINATE WITH OTHER STATE UNITS,~~
13 ~~COUNTIES, MUNICIPAL CORPORATIONS, AND PUBLIC AND PRIVATE UTILITIES IN~~
14 ~~ORDER TO:~~

15 (1) ~~IDENTIFY AND CONSOLIDATE DEMAND FOR BROADBAND SERVICES~~
16 ~~IN THE VARIOUS REGIONS OF THE STATE;~~

17 (2) ~~IDENTIFY UNUSED CAPACITY IN EXISTING FACILITIES; AND~~

18 (3) ~~PLAN THE OPTIMAL LOCATION OF POINTS OF PRESENCE IN EACH~~
19 ~~LATA IN THE STATE.~~

20 [(c)] (D) ~~The network shall be accessible through direct connection and~~
21 ~~through local intra LATA telecommunications to State and local governments and~~
22 ~~public and private educational institutions in the State.~~

23 SECTION 2. ~~AND BE IT FURTHER ENACTED, That:~~

24 (a) ~~On or before July 1, 2004, the Department of Business and Economic~~
25 ~~Development shall identify existing and significant potential demand for access to~~
26 ~~high-speed telecommunication and data transmission services facilities in~~
27 ~~underserved rural areas of the State, in consultation with local government officials,~~
28 ~~existing businesses, and existing regional and local consortia and other groups~~
29 ~~involved with high technology economic development in those areas;~~

30 (b) ~~On or before July 1, 2004, the Department of Budget and Management~~
31 ~~shall explore expansion of high-speed telecommunication and data transmission~~
32 ~~capacity, including fiber optic cable and competing technologies, into underserved~~
33 ~~rural areas that have existing and significant potential demand for the capacity~~
34 ~~afforded by fiber optic cable and competing technologies associated with State and~~
35 ~~local economic development, by expansion of the State backbone and network under §~~
36 ~~3-705 of the State Finance and Procurement Article, through other~~
37 ~~Net.Work.Maryland or successor initiatives, or through other public-private~~
38 ~~cooperation with commercial providers of high-speed telecommunication and data~~
39 ~~transmission services, and shall also explore alternative models for delivering these~~
40 ~~services in underserved rural areas;~~

1 (e) On or before January 1, 2005, the Department of Business and Economic
 2 Development, in consultation with the Department of Budget and Management, shall
 3 facilitate the expansion of high-speed telecommunication and data transmission
 4 services and facilities into underserved rural areas of the State by matching existing
 5 and significant potential demand with private and public providers of these services
 6 and facilities; and

7 (d) On or before January 1, 2004, the Department of Business and Economic
 8 Development and the Department of Budget and Management shall report jointly,
 9 subject to § 2-1246 of the State Government Article, to the General Assembly on their
 10 progress in complying with this section.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 12 July 1, 2003.

13 (a) There is a Task Force on Broadband Communications Deployment in
 14 Underserved Rural Areas.

15 (b) The Task Force consists of the following 20 members:

16 (1) three members of the Maryland House of Delegates, one each from
 17 Western Maryland, Southern Maryland, and the Eastern Shore, appointed by the
 18 Speaker of the House;

19 (2) three members of the Senate of Maryland, one each from Western
 20 Maryland, Southern Maryland, and the Eastern Shore, appointed by the President of
 21 the Senate;

22 (3) three technical experts representing public sector agencies and
 23 universities appointed jointly by the Chairmen of the Southern Maryland, Western
 24 Maryland, and Eastern Shore delegations to the General Assembly;

25 ~~(1)~~ (4) the Secretary of Budget and Management, or the Secretary's
 26 designee;

27 ~~(2)~~ (5) the Secretary of Business and Economic Development, or the
 28 Secretary's designee;

29 ~~(3)~~ (6) the Chairman of the Public Service Commission, or the
 30 Chairman's designee; and

31 (7) the following members appointed by the Governor:

32 ~~(4)~~ (i) the President a representative of the Maryland Technology
 33 Development Corporation, or the President's designee;

34 ~~(5)~~ (ii) the Executive Director a representative of the Forum for Rural
 35 Maryland, or the Executive Director's designee;

1 ~~(6)~~ ~~(iii)~~ ~~the Executive Director a representative of the Tri-County~~
 2 ~~Council for Western Maryland, or the Executive Director's designee;~~

3 ~~(7)~~ ~~(iv)~~ ~~the Executive Director a representative of the Tri-County~~
 4 ~~Council for Southern Maryland, or the Executive Director's designee;~~

5 ~~(8)~~ ~~(v)~~ ~~the Executive Director a representative of the Tri-County~~
 6 ~~Council for the Lower Eastern Shore of Maryland, or the Executive Director's~~
 7 ~~designee;~~

8 ~~(9)~~ ~~(vi)~~ ~~the Executive Director a representative of the Mid-Shore~~
 9 ~~Regional Council, or the Executive Director's designee;~~

10 ~~(10)~~ ~~(vii)~~ ~~a local government representative from Carroll County or~~
 11 ~~Frederick County appointed by the Executive Director of the Forum for Rural~~
 12 ~~Maryland; and~~

13 ~~(11)~~ ~~(viii)~~ ~~a local government representative from Harford County, Cecil~~
 14 ~~County, Kent County, or Queen Anne's County appointed by the Executive Director of~~
 15 ~~the Forum for Rural Maryland;~~

16 ~~(12)~~ ~~three members of the Maryland House of Delegates, one each from~~
 17 ~~Western Maryland, Southern Maryland, and the Eastern Shore, appointed by the~~
 18 ~~Speaker of the House;~~

19 ~~(13)~~ ~~three members of the Senate of Maryland, one each from Western~~
 20 ~~Maryland, Southern Maryland, and the Eastern Shore, appointed by the President of~~
 21 ~~the Senate; and~~

22 ~~(14)~~ ~~three technical experts representing public sector agencies and~~
 23 ~~universities appointed jointly by the Chairmen of the Southern Maryland, Western~~
 24 ~~Maryland, and Eastern Shore delegations to the General Assembly;~~

25 (c) The President of the Maryland Technology Development Corporation
 26 Governor shall serve as designate the Chairman of the Task Force.

27 (d) The Chairman of the Task Force may establish subcommittees of the Task
 28 Force to assist in the work of the Task Force.

29 (e) A member of the Task Force may not receive compensation for serving on
 30 the Task Force, but is entitled to reimbursement for expenses under the Standard
 31 State Travel Regulations, as provided in the State budget.

32 (f) (1) The Chairman of the Task Force shall periodically may convene a
 33 panel of advisors to solicit comments and recommendations on broadband
 34 communications in rural areas and other issues defined by the Task Force.

35 (2) The panel of advisors may assist the Task Force in its work as
 36 determined by the Chairman of the Task Force.

- 1 (g) The panel of advisors ~~shall consist of~~ *may include* representatives of:
- 2 (1) local telephone service providers;
- 3 (2) long distance telephone service providers;
- 4 (3) cable service providers;
- 5 (4) wireless service providers;
- 6 (5) satellite service providers;
- 7 (6) investor-owned electric utility providers;
- 8 (7) rural electric cooperatives;
- 9 (8) municipal electric utilities;
- 10 (9) Internet service providers;
- 11 (10) the Network Maryland Advisory Group;
- 12 (11) the Network Maryland Engineering Committee;
- 13 (12) the Governor's Technology Commission;
- 14 (13) the Information Technology Board;
- 15 (14) the Maryland Chamber of Commerce;
- 16 (15) the Maryland Municipal League;
- 17 (16) the Maryland Association of Counties;
- 18 (17) the Maryland Rural Health Association;
- 19 (18) organizations representing schools, libraries, colleges, universities,
20 and high technology councils; and
- 21 (19) any other group, organization, or person, as determined by the
22 Chairman of the Task Force.

23 (h) The Task Force ~~shall~~:

24 (1) *shall* consider developments and best practices in regions of the
25 country where broadband communications ~~is being deployed for~~ *are being deployed in*
26 rural communities, the broadband networking infrastructure in those areas, and the
27 direct and indirect benefits and costs associated with the networks;

28 (2) after considering existing State and regional broadband
29 communications assessments and information that may become available during the
30 deliberations of the Task Force, *shall* evaluate;

- 1 (i) the resources, infrastructure, and cost structures now in place
2 or available in the various rural regions of the State for developing or ~~accessing~~
3 obtaining access to broadband communications;
- 4 (ii) the feasibility of using existing or alternative legal mechanisms
5 and infrastructure to support the economical development of broadband
6 communications in rural areas of the State;
- 7 (iii) the utility of several applications where broadband
8 communications would be beneficial to benefit rural areas, such as applications
9 relating to agriculture, medicine, and education; and
- 10 (iv) other matters that the Task Force considers pertinent to
11 establishing effective broadband communications in the rural areas of the State;
- 12 (3) shall encourage the development of specific goals for the State in the
13 deployment of broadband communications in rural areas, including:
- 14 (i) the development of economically competitive access to
15 broadband communications by the public and private sectors in each rural region of
16 the State;
- 17 (ii) the availability of broadband communications access
18 throughout the rural areas of the State to address issues of universal service in
19 unserved and underserved communities;
- 20 (iii) the development and expansion of practical applications for the
21 enhancement of economic development, and other public benefits;
- 22 (iv) the development of affinities and interconnection among the
23 governmental units in the State, educational institutions, and private industry; and
- 24 (v) any other goals that the Task Force determines to be in the
25 public interest;
- 26 (4) shall develop proposals and recommendations for the establishment
27 and enhancement of broadband communications in rural areas, by:
- 28 (i) reviewing government policies for the promotion, development,
29 and economically competitive use of broadband communications;
- 30 (ii) identifying sources of funding and support, including leveraging
31 of State and federal resources;
- 32 (iii) encouraging private and public participation in the
33 development and use of broadband communications in rural areas, including demand
34 aggregation ~~and/or~~ and resource leveraging to enhance economic and technological
35 development; and
- 36 (iv) examining any other pertinent issues; and

1 (5) shall oversee the implementation of the Task Force's
 2 recommendations made under item (4) of this subsection, and as the Task Force may
 3 determine, offer any recommendations pertaining to:

4 (i) legislation for possible introduction in the 2004 or 2005 session
 5 of the General Assembly to implement the recommendations of the Task Force;

6 (ii) budget provisions and amendments for inclusion in the State
 7 budgets for fiscal years 2005, 2006, and beyond; and

8 (iii) programmatic changes in State procurement or other areas that
 9 might be implemented by regulation; and.

10 ~~(6)~~ (i) (1) subject to In accordance with § 2-1246 of the State
 11 Government Article, the Task Force shall report to the Governor, and to the President
 12 of the Senate of Maryland, the Speaker of the House of Delegates, and the Chairmen
 13 of the Senate Finance Committee, the House Economic Matters Committee, and the
 14 chairmen of the General Assembly's rural delegations, as follows: provided in
 15 paragraph (2) of this subsection.

16 (2) The Task Force shall issue:

17 (i) on or before December 1, 2003, issue a preliminary report and
 18 draft statewide rural development plan focusing on public and private broadband
 19 communications access;

20 (ii) on or before January 15, 2004, issue an interim report and
 21 recommendations for a statewide broadband communications plan focusing on private
 22 sector access;

23 (iii) on or before December 1, 2004, issue a progress report on the
 24 implementation of the plans for public and private broadband communications access,
 25 together with any follow-up recommendations; and

26 (iv) on or before June 30, 2005, issue a final report of the Task
 27 Force.

28 ~~(4)~~ (j) The Maryland Technology Development Corporation shall provide
 29 staff support to the Task Force, with the assistance of the Forvm for Rural Maryland,
 30 the Department of Budget and Management, and the Department of Business and
 31 Economic Development, and other appropriate State, regional, and local agencies.

32 SECTION 2. AND BE IT FURTHER ENACTED, That:

33 (a) The Department of Business and Economic Development, in assisting the
 34 Task Force on Broadband Communications Deployment in Underserved Rural Areas,
 35 is strongly encouraged to identify existing and significant potential demand for access
 36 to high-speed telecommunication and data transmission services facilities in
 37 underserved rural areas of the State, in consultation with local government officials,

1 existing businesses, and existing regional and local consortia and other groups
2 involved with high-technology economic development in those areas.

3 (b) The Department of Budget and Management, in assisting the Task Force on
4 Broadband Communications Deployment in Underserved Rural Areas, is strongly
5 encouraged to explore expansion of high-speed telecommunication and data
6 transmission capacity, including fiber-optic cable and competing technologies, into
7 underserved rural areas that have existing and significant potential demand for the
8 capacity afforded by fiber-optic cable and competing technologies associated with
9 State and local economic development, by expansion of the State backbone and
10 network under § 3-705 of the State Finance and Procurement Article, through other
11 Net.Work.Maryland or successor initiatives, or through other public-private
12 cooperation with commercial providers of high-speed telecommunication and data
13 transmission services, and is also strongly encouraged to explore alternative models for
14 delivering these services in underserved rural areas.

15 (c) The Department of Business and Economic Development, in consultation
16 with the Department of Budget and Management and in coordination with
17 recommendations of the Task Force on Broadband Communications Deployment in
18 Underserved Rural Areas, is strongly encouraged to facilitate the expansion of
19 high-speed telecommunication and data transmission services and facilities into
20 underserved rural areas of the State by matching existing and significant potential
21 demand with private and public providers of these services and facilities.

22 SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take
23 effect June 1, 2003. It shall remain effective for a period of 2 years and 1 month and,
24 at the end of June 30, 2005, with no further action required by the General Assembly,
25 this Act shall be abrogated and of no further force and effect.